

Advancing Justice: Guiding Principles, Strategic Goals, and Objectives

Mission Statement: *Provide timely, fair, and impartial case resolution, as mandated in Article 1, Section 18 of the Idaho Constitution and as reflected in the Mission Statement of the Idaho Courts.*

Guiding Principles:¹

1. Every case receives individual attention.
2. Individual attention is proportional to need.
3. Decisions demonstrate procedural justice.
4. Case progress is monitored through early and continuous judicial supervision.
5. Unnecessary delay in case processing is prevented to the greatest extent possible.

Strategic Goal 1: Identify and pursue opportunities to systematically reduce unnecessary delay in case processing and to enhance procedural fairness.

Objective 1: Review applicable court rules and statutes to identify sources of unnecessary delay and impediments to procedural fairness and recommend amendments and new rules and statutes as appropriate.

Objective 2: Identify successful caseload management strategies currently being used in Idaho courts and explore options for replicating those strategies across the state.

Objective 3: Identify and pursue technical assistance or grant opportunities in the area of caseload management that may benefit individual courts or judicial districts.

Objective 4: Develop strategies for engaging judges, clerks, other court staff, attorneys, and others in the process of identifying and addressing sources of unnecessary delay and impediments to procedural fairness, on both a statewide and district court level.

Strategic Goal 2: Develop the institutional capacity to improve and sustain delay reduction and to enhance procedural fairness in Idaho's courts.

Objective 1: Provide regular educational and training opportunities to judges and other court personnel designed to enhance caseload management practices.

Objective 2: Evaluate the adequacy of Idaho Court Administrative Rule 57 (time standards) for the purposes of meeting the expectations of the public, assisting trial judges with calendar management, and for assessing the need for judicial resources.

Objective 3: Develop a statewide caseload management plan and assist with the development of individual judicial district caseload management plans.

Objective 4: Develop strategies for improving ongoing communication and collaboration between the Judiciary and the Bar as well as other justice partners.

Strategic Goal 3: Support efforts to efficiently and effectively manage court calendars and promote procedural fairness by providing case management reports and evaluation tools that are both valid and meaningful to judges and court administrators.

Objective 1: Conduct a critical review of existing cases management reports and recommend modifications and/or the development of new reports.

Objective 2: Develop a "data dashboard" to assist judges and administrators with calendar management.

Objective 3: Enhance the use of performance measures and management tools by individual courts and judicial districts for the purpose of reducing unnecessary delay and improving procedural fairness.

Objective 4: Develop standards and strategies for promoting valid and consistent data entry and for improving the business practices by which court data is acquired.

¹ Guiding Principles 1, 2, and 3 from Ostrom, Brian, and Roger Hanson. 2010. *Achieving High Performance: A Framework for Courts*. Williamsburg, VA: National Center for State Courts. Guiding Principle 4 from Solomon, Maureen. 2010. *Conducting a Felony Caseload Management Review: A Practical Guide*. Washington D.C.: Bureau of Justice Assistance.

Proposed Plan for Implementing Idaho's New Time Standards for Case Processing

The Advancing Justice Committee is making every effort to recommend time standards for case processing that are feasible and reflect fair and timely case resolution from the perspective of the parties being served. Recommendations are being informed by the experiences of Idaho's judges, attorneys, and court staff and by the best available data, both nationally and for Idaho. Nevertheless, the Committee acknowledges that there are certain limitations with the methods used to evaluate Idaho's time standards. The Committee also recognizes that the recommended time standards establish expectations that may require individual courts to effectively address sources of systematic delay.

In addition, the revised time standards entail a change in the way that the data are measured and reported. Therefore, for practical reasons, implementation of the revised standards necessarily needs to occur after the new case management system has been developed and piloted.

For these reasons, the Committee recommends that the proposed revised time standards be piloted for a period of time and reevaluated before being officially adopted and implemented on a more permanent basis. The pilot period should mirror the implementation of the new case management system. As counties convert to the new system, the Advancing Justice Committee and AOC staff will begin to monitor and analyze data in those counties, including time to disposition, the timeliness of interim case events, number of hearings per disposition, and number of continuances per disposition. The monitoring period will continue for one year following the statewide conversion to the new system.

During this pilot period, the Advancing Justice Committee, as well as individual courts, will utilize the available data to assess the feasibility of the recommended time standards and also to identify sources of systematic delay that may be amenable to statutory or rule changes or to changes in case management practices. Simultaneously, with support from Judicial Education, the Committee will promote effective case management strategies across the state.

At the conclusion of the pilot period, the Advancing Justice Committee will reassess the proposed time standards and may choose to recommend adjustments to the standards based upon the experience of Idaho's courts during the pilot period. In addition, the Committee will recommend statutory and rule changes that they believe are necessary to address sources of unnecessary, systematic delay in case processing. In the interim, the Committee will continue to examine court rules and statutes to identify potential opportunities to reduce delay and otherwise improve case processing. This will include an examination of I.R.C.P. (a)(2) and I.R.C.P. 40(c), which establish time periods for service of summons and dismissal for inactivity, respectively.

Lastly, the Committee is communicating with the Court Technology Committee's Design and Implementation Team and with the Court's vendor to ensure that we will have the flexibility to modify automation of the time standard as needed following the pilot period.

Recommended Modifications to Idaho Time Standards – Magistrate Division

Case Type	Model Standard¹	Current Idaho Standard²	Recommended Standard
Divorce/Paternity/ Child Custody	75% within 120 days 90% within 180 days 98% within 365 days Measured from filing of petition to disposition.	90% within 180 days Measured from filing of petition to disposition	75% within 120 days 90% within 180 days 98% within 365 days Measured from filing of petition to disposition. (entry of judgment)
Post Judgment Divorce/Paternity/ Child Custody	98% within 180 days Measured from filings of petition to disposition.	No standard	75% within 120 days 90% within 180 days 98% within 270 days Measured from filing of petition to disposition (entry of judgment)
Protection Orders	90% within 10 days 98% within 30 days	No standard, but set in statute	90% within 14 days 98% within 30 days Measured from filing of petition to disposition (entry of judgment)
Magistrate Civil	75% within 60 days 90% within 90 days 98% within 180 days Measured from filing of petition to disposition *Standards are for summary civil matters, which include small claims and landlord/tenant matters.	90% within 180 days Measured from filing of petition to disposition	75% within 120 days 90% within 150 days 98% within 180 days Measured from filing of petition to disposition (entry of judgment)

¹ National Center for State Courts and State Justice Institute. 2011. *Model Time Standards for State Trial Courts*. Williamsburg, V.A.

²Periods of inactivity will not contribute to the “age” of a case. Circumstances resulting in a case being placed in inactive status will be identified for each case type and applied uniformly across jurisdictions.

Case Type	Model Standard	Current Idaho Standard	Recommended Standard
Small Claims (does not include appeals)	75%within 60 days 90% within 90 days 98% within 180 days Measured from filing of petition to disposition *Standards are for summary civil matters, which include small claims and landlord/tenant matters.	90% within 90 days Measured from filing of petition to disposition	75%within 60 days 90% within 90 days 98% within 180 days Measured from filing of petition to disposition (entry of judgment)
Child Protection	Adjudicatory Hearing: 98% within 90 days Permanency Hearing: 75% within 270 days 98% within 360 days Measured from removal	“As provided in the timeframes established in the Idaho Juvenile Rules.”	Adjudicatory Hearing 90% within 30 days 98% within 60 days (measured from filing of petition to completion of hearing) 1 st Permanency Hearing 98% within 365 days (measured from filing of petition to completion of hearing) Subsequent Permanency Hearings 98% within 365 days (measured from last date on which previous permanency would have been heard timely to completion of hearing)
Termination of Parental Rights	90% within 120 days 98% within 180 days Measured from the filing of a termination petition	No standard	90% within 150 days 98% within 180 days (measured from order approving TPR/adoption as permanency goal to order granting or denying TPR)

Case Type	Model Standard	Current Idaho Standard	Recommended Standard
Administration of Estates	75% within 360 days 90% within 540 days 98% within 720 days Measured from filing of petition to disposition	No standard	Informal: Filing of petition to apt. of personal rep.: 98% within 30 days
			Formal: Filing of petition to apt. of personal rep.: 75% within 30 days 90% within 60 days 98% within 180 days
			Petition for final settlement and distribution to case closure: 75% within 30 days 90% within 90 days 98% within 180 days
Guardianship/ Conservatorship	98% within 90 days Measured from filing of petition to order denying or appointing non-temporary guardian/conservator	No standard	TBD (pending further discussion with Guardianship and Conservatorship Committee)
Civil Commitment	98% within 15 days Measured from filing of petition to disposition	No standard	98% within 14 days Measured from filing of application/petition or hospitalization to disposition (entry of judgment)

Case Type	Model Standard	Current Idaho Standard	Recommended Standard³
Magistrate Felony	No standard	90% within 30 days Measured from first appearance to dismissal or order binding defendant over to district court.	50% within 21 days 75% within 45 days 98% within 60 days Measured from filing of complaint to bind over date
Misdemeanor	75% within 90 days 90% within 180 days 98% within 365 days Measured from filing of petition to disposition	90% within 90 days Measured from first appearance to disposition.	75% within 90 days 90% within 120 days 98% within 150 days Measured from filing of complaint to disposition (entry of judgment)
Juvenile	For youth in detention: 75% within 30 days 90% within 45 days 98% within 90 days For youth not in detention: 75% within 60 days 90% within 90 days 98% within 150 days Measured from filing of petition to disposition.	90% within 90 days Measured from admit/deny hearing to disposition.	For youth in detention: 90% within 75 days 98% within 120 days For youth not in detention: 90% within 120 days 98% within 180 days Measured from filing of petition to disposition (entry of judgment) *75% benchmark pending discussion with JJAT
Infractions	75% within 30 days 90% within 60 days 98% within 180 days Measure from filing to disposition	90% within 60 days Measured from first appearance to disposition	75% within 45 days 90% within 60 days 98% within 120 days Measured from filing of citation to disposition (entry of judgment)

³ Time Standards for criminal cases assume a waiver of speedy trial.

Magistrate Division – Interim Case Events for Statistical Reporting

Divorce/Paternity/Child Custody:

Initiating Event: Filing of Complaint

Service of summons

Filing of responsive pleading

Case screening

Motion for temporary order

Order on motion for temporary order

Ordered to mediation

Mediation completed

Scheduling order

Assessment/evaluation ordered

Assessment/evaluation completed (parenting evaluation, family needs assessment, brief focused assessment)

Discovery cutoff date

Filing of dispositive motion

Pre-trial conference

Start of trial

Post Judgment Divorce/Paternity/Child Custody:

Initiating Event: Filing of Complaint

Service of summons

Filing of responsive pleading

Case screening

Motion for temporary order

Order on motion for temporary order

Ordered to mediation

Mediation completed

Scheduling order

Assessment/evaluation ordered

Assessment/evaluation completed (parenting evaluation, family needs assessment, brief focused assessment)

Discovery cutoff date

Filing of dispositive motion

Pre-trial conference

Start of trial

Protection Orders:

Initiating Event: Filing of Petition

Ex parte order

Service of petition/ex parte order/notice of hearing

Civil:

Initiating Event: Filing of Complaint

Service of summons

Filing of responsive pleading

Scheduling order

Discovery cutoff date

Filing of dispositive motion

Pre-trial conference

Start of trial

Small Claims:

Initiating Event: Filing of Complaint

Service of summons

Filing of responsive pleading

Mediation completed

Start of trial

Child Protection:**Adjudicatory Hearing:**

Initiating Event: Filing of petition

Shelter care hearing

Permanency Hearing:

Initiating Event: Filing of petition

Shelter care hearing

Adjudicatory hearing

Approval of case plan

6-month review hearing

Subsequent Permanency Hearing:

Initiating Event: Date of which previous permanency hearing would have been held timely

Review hearings

Termination of Parental Rights:

Initiating Event: Order approving adoption/TPR as permanency goal

Permanency hearings

Filing of TPR petition

Administration of Estates:

Initiating Event: Filing of Petition

None

Guardianship/Conservatorship Cases:

Initiating Event: Filing of Petition

Temporary order entered

Completion of training program

Filing of court visitor report

GAL report filed

Medical report filed

Evaluation report from DHW (Development Disability cases only; in lieu of visitors report and medical report)

Hearing

Civil Commitment:

Initiating Event: Filing of Petition

None

Magistrate Felony:

Initiating Event: Filing of complaint

First appearance

Arraignment

Entry of Plea

Misdemeanor:

Initiating Event: Filing of complaint

Arraignment

Pre-trial

Entry of Plea

Start of trial

Juvenile:

Initiating Event: filing of petition

Notice of service

Initial appearance

Pre-trial

Adjudication

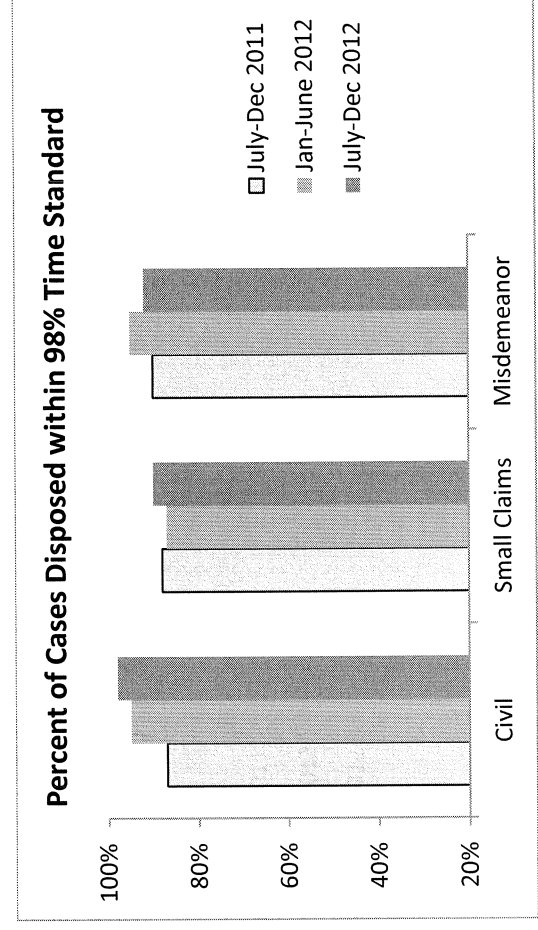
Infractions:

Initiating Event: Filing of citation

Entry of Plea

Time to Disposition
Magistrate Division
Fourth District – All Counties
For Cases Closed Between 7/1/12 – 12/31/12

Case Type	Total Cases Filed 7/1/12 – 12/31/12	Total Cases Pending on 12/31/12	Time standard for disposing of 75% of cases	Cases disposed within the 75% standard		Time standard for disposing of 90% of cases	Cases disposed within the 90% standard		Time standard for disposing of 98% of cases	Cases disposed within the 98% standard	
				# of cases	% of caseload		# of cases	% of caseload		# of cases	% of caseload
Civil (Measured from Complaint)			120 days			150 days			180 days		
Statewide Totals											
Civil (Measured from service of process)			120 days			150 days			180 days		
Statewide Totals											
Small claims			60 days			90 days			180 days		
Statewide Totals											
Misdemeanor			90 days			120 days			150 days		
Statewide Totals											



Timeliness of Interim Case Events
Magistrate Division
Fourth District – All Counties
For Events that Occurred Between 7/1/12 – 12/31/12

Civil Cases																
Event Type	Service of Summons		Filing of Responsive Pleading		Scheduling Order		Discovery Cutoff		Filing of Dispositive Motions		Pre-Trial Conference		Start of Trial		Entry of Judgment or Dismissal	
Initiating Event: Petition	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days
Current reporting period (7/1/12 – 12/31/12)																
Last reporting period (1/1/12 – 06/30/12)																

Misdemeanor Cases								
Event Type	Arraignment		Pre-trial Conference		Entry of Plea		Start of Trial	
Initiating Event: Filing of Complaint	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days	No. of Events	Median no. of days
Current reporting period (7/1/12 – 12/31/12)								
Last reporting period (1/1/12 – 06/30/12)								